

1 **OFFICE OF CONGRESSIONAL ETHICS**

2
3 **CODE OF CONDUCT**

4
5 The Board of the Office of Congressional Ethics adopts this Code of Conduct pursuant to the
6 authority granted to the Office by H. Res. 895 Section 1.(c)(2)(F)(iv).
7

8 **1. GENERAL ETHICAL STANDARDS**

9 A Member of the Board shall conduct him or herself at all times in a manner that shall
10 reflect creditably on the Board and the Office of Congressional Ethics.
11

12 **2. OATH OF BOARD MEMBERS AND STAFF**

13 Before any individual who is appointed to serve on the board (including an individual
14 who is an alternate) or before any individual is hired to be a staff member of the Office may do
15 so, the individual shall execute a signed document containing the following statement: "I agree
16 not to be a candidate for the office of Senator or Representative in, or Delegate or Resident
17 Commissioner to, the Congress for purposes of the Federal Election Campaign Act of 1971 until
18 at least 3 years after I am no longer a member of the board or staff of the Office of Congressional
19 Ethics.".
20

21 **3. COMPENSATION FOR BOARD SERVICE**

22 A member of the Board may not receive compensation for his service on the Board from
23 any source other than the per diem provided for under H. Res. 895 of the 110th Congress.

1 A member of the Board may not receive compensation and may not permit compensation
2 to accrue to his or her beneficial interest from any source, the receipt of which would occur by
3 virtue of influence improperly exerted from his or her position on the Board.

4 5 **4. FINANCIAL DISCLOSURE**

6 Members of the board and senior staff (to the extent required by the House Code of
7 Official Conduct) shall file annual financial disclosure reports with the Clerk of the House on or
8 before May 15 of each calendar year after any year in which they perform the duties of that
9 position. Such reports shall be on a form prepared by the Clerk that is substantially similar to
10 form 450 of the Office of Government Ethics. The Clerk shall send a copy of each such report
11 filed with the Clerk within the seven-day period beginning on the date on which the report is
12 filed to the Committee on Standards of Official Conduct and shall have them printed as a House
13 document and made available to the public.

14 15 **5. DISQUALIFICATION FOR FINANCIAL CONFLICT OF INTEREST**

16 If any matter before the Board involves a close relative, partner, or client, of a Board
17 member or any person or organization with which a board member is affiliated is negotiating or
18 has any arrangement concerning prospective employment or financial interest, that member

19 (1) shall promptly so notify the other members of the Board

20 (2) shall not participate in any Board action, discussion or deliberation of the matter,

21 (3) shall not at any time discuss the merits or the status of the matter formally or

22 informally with any member of the Board, with any current member of the staff, or

1 with any former member of the staff who, while employed by the Office, had access
2 to confidential information about the matter,

3 (4) shall not at any time examine the Board's files or records pertaining to the matter, and

4 (5) shall not, while the matter is pending before the Board, discuss its merits or status
5 with anyone whose interest gave rise to the disqualification or with their
6 representatives.

7 The Staff Director shall inform the Board of any matter which presents facts and legal issues
8 similar to those in any other matter which is pending and in which a member of the Board is
9 disqualified from participating. The disqualified member of the Board should thereupon
10 determine whether he should participate in the similar case. That determination should be based
11 on the degree to which resolution of the similar case would be dispositive of the case in which
12 there is the disqualification.

13 Once a member of the Board has disqualified him or herself pursuant to this section, the
14 staff will not send or otherwise make available to that member any materials pertaining to that
15 matter.

16 A majority of the Board may vote to disqualify a Board member for conflict of interest.

17 Notwithstanding the above provisions, if three members of the Board are disqualified
18 from participating in a specific Board action, discussion or deliberation, the disqualified
19 members may nonetheless participate under a rule of necessity.

1 **6. RECUSAL**

2 A Board member who determines he or she cannot review a matter before the Board in an
3 impartial manner must recuse him or herself. A lack of impartiality may arise from personal or
4 professional affiliations with a subject or other person involved in a matter before the Board.

5 A Board member who has engaged in political activity on behalf of a subject, or a subject's
6 opponent in an election, or intends to do so, shall disclose such activity to the Board and shall, if
7 that activity compromises that Board member's ability to act in an impartial manner, recuses him
8 or herself.

9 Four members of the Board may vote to recuse a member for lack of impartiality.
10

11 **7. PROHIBITION ON PUBLIC DISCLOSURE**

12 When an individual becomes a member of the Board or staff of the Office, that individual
13 shall execute the following oath or affirmation in writing: "I do solemnly swear (or affirm) that I
14 will not disclose to any person or entity outside the Office any information received in the course
15 of my service with the Office, except as authorized by the Board as necessary to conduct as
16 official business or pursuant to its rules." Copies of the executed oath shall be provided to the
17 Clerk of the House as part of the records of the House.

18 No testimony received or any other information obtained as a member of the Board or
19 staff of the Office shall be publicly disclosed by any such individual to any person or entity
20 outside the Office. Any communication to any person or entity outside the Office may occur
21 only as authorized by the Board as necessary to conduct official business or pursuant to its rules.

1 All staff and Board members shall abide by the procedures contained in the Office's
2 procedures manual that address prevention of unauthorized disclosure of any information
3 received by the Office.

4 Any breach of confidentiality shall be investigated by the Board and appropriate action
5 shall be taken.

6 These provisions do not preclude presenting its report or findings or testifying before the
7 Committee on Standards of Official Conduct by any member of the Board or staff of the Office
8 if requested by such committee pursuant to its rules.

9 10 **8. REQUIREMENTS FOR PUBLIC SPEAKING BY BOARD MEMBERS OR STAFF**

11 No member of the staff or Board may accept public speaking engagements or write for
12 publication on any subject that is in any way related to his or her employment or duties with the
13 Office without specific prior approval from the chairman and cochairman.

14 15 **9. APPEARANCE BEFORE THE OFFICE BY FORMER BOARD MEMBERS OR STAFF**

16 No former member of the Board or staff shall, after the termination of his or her service
17 or employment, represent any person or entity by making any formal appearance or any oral or
18 written communication with the intent to influence a decision of the Board, until at least one year
19 has elapsed since the termination of his or her service or employment.

20 21 **10. ANTI-DISCRIMINATION POLICY**

22 A member of the Board may not discharge and may not refuse to hire an individual as a
23 staff member of the OCE, or otherwise discriminate against an individual with respect to

1 compensations, terms, conditions, or privileges of employment, because of the race, color,
2 religion, sexual orientation, gender, marital or parental status, disability, age, national origin or
3 political affiliation of such individual.

5 **11. PROHIBITION ON PARTISAN ACTIVITY BY STAFF**

6 The staff as a whole and each member of the staff shall perform all official duties in a
7 nonpartisan manner.

8 No member of the staff shall engage in any partisan political activity directly affecting
9 any congressional or presidential election.

11 **12. VIOLATION; RECOMMENDATION OF RESIGNATION AND DISMISSAL**

12 A majority of a quorum of the Board may recommend to a Board member who has
13 willfully violated this Code of Conduct that he or she resign and, in the absence of a resignation,
14 may recommend to the Speaker and the Minority Leader that the member be dismissed and
15 replaced.